

**SELECT BOARD MEETING**  
Monday, February 1 – 6:30 p.m.  
Town Room, Town Hall

**DRAFT**

**MINUTES**

**Call to order:**

Meeting was called to order by Ms. O’Keeffe at 6:30 p.m.

**Attendance:**

Present: Stephanie O’Keeffe (Chair), Alisa Brewer, Aaron Hayden (Clerk pro-tem), Diana Stein, Gerry Weiss, Larry Shaffer (Town Manager), John Musante (Asst. Town Manager)

Others presenting: Nancy Gordon

**Public comment:** Nancy Gordon presented her personally financed survey of 278 randomly selected recent voter’s preference on issues related to an over-ride.

**Quarterly budget update:** (Copy of report is on-line)

John Musante presented the Select Board the quarterly update of the Town budget. He noted that the budget was smaller than the year before and very difficult. Also that at the mid point we were half way through most expenditure and had received half the expected income.

Gerry Weiss asked where the average annual surplus goes:

John Musante explained it went to Free Cash – several years ago the reserves were allowed to fall to a level low enough that our bond rating fell and cost of borrowing increased. Today we have an excellent bond rating because we have been building reserves and are executing our financial plan. He also noted that Free Cash does not simply grow by the surplus amount each year, last year for instance we spent \$.9m from Free Cash to support Marks Meadow School.

Stephanie O’Keeffe noted that last year’s surplus also went into free cash balance

Larry Shaffer added that the surplus results from 2 sources; revenues that exceed expectation, a favorable change in a contract, gift or new bldg permits and good management by dept heads.

Stephanie O’Keeffe asked whether we knew that the new model for funding LSSE was working and whether it was tracking since we are half way through the year.

Larry Shaffer noted that revenue was less than expected and the model needed to be recalibrated going forward. LSSE is evaluating all its programs partly on its cost to operate which was not possible before.

Stephanie O'Keeffe mentioned that this new model has dramatically less tax support  
Larry Shaffer noted it was an 83% reduction of tax support.

Alisa Brewer noted another position was cut out of the FY 10 LSSE budget.

**Presentation and update on the North Amherst PRP:**

Larry Shaffer reported that with the help of a strong team from Town Hall there is a proposal for Town Meeting to consider. The project to get a large tenant for this property is an important step toward the goal of increasing the tax base by \$200m in the years and can increase tax collections by \$1.6m each year which will help the municipal hiring picture.

Mr. Shaffer has worked with the Patterson family for the conveyance of 60 acres to the Town first by a no cost "pre-option" (pre-Town Meeting) and then three year long options of \$40k each year until the Town can execute a purchase and sale agreement.

Gerry Weiss wanted clarification on the option:

Larry Shaffer explained the option is the gateway to pursue funding and building infrastructure and finding tenant without the risk of the property being sold to someone else. There should be an article in Town Meeting this spring to support the option. The options also give us priority access to 43D grants and an expedited (State) permitting process including up to \$100k grant to study infrastructure and marketing this major site.

Gerry Weiss was concerned that some use allowed under PRP wouldn't fit here:

Larry Shaffer assured us that the project will have to fit in PRP – the existing range of uses allowed in our PRP is a great way to start to sell project area.

Ultimately the options could lead us to a 90 year lease with 7 increments; after 25 years we can buy the property for \$5m plus a CPI increase. The user of the site will be assigned the lease; which the Town will have the end user pay. Ultimately there are nearby properties that might be purchased to add to this area.

The project needs the support of the Town to succeed – we have the resources the private sector doesn't have to get it ready especially infrastructure permitting.

Stephanie O'Keeffe wanted to know the link between Town infrastructure and tax base:

Larry Shaffer answered that this \$100M project will net \$1.6 m annually. The infrastructure installed depends on end user's need for water, sewage and road improvements which will cost on the order of \$2-5m. Infrastructure funding can come from grants or Development Incremental Financing from taxes (a provision of MGL Chapter 43D)

Alisa Brewer asked whether the Town Meeting article would be from the Planning Board since it involves Chapter 43D.

Larry Shaffer didn't know but would love to have PB endorsement since it includes an expedited permit process.

Alisa Brewer ask whether a 43D application is a Planning Board responsibility and if they have time in their schedule to be ready before Town Meeting

Gerry Weiss was concerned about the expedited permitting?

Larry Shaffer explained that 43D allows us to access grants from State and expedites the State permit process. We don't need to speed up our permit process especially since Amherst permitting goes well. Mr. Shaffer is looking forward to presenting the project to all the permitting boards. Those boards each have time frames but we will not be required to speed up our process.

Gerry Weiss asked if the request for \$40k for the first year's option will be before Town Meeting as part of the FY 11 budget

Stephanie O'Keefe wondered if the expenses will be paid by project taxes and how to answer this inevitable question.

Larry Shaffer replied the (\$40k) option makes the area more attractive to end users and improves our ability to access property. Option allows us to dictate process for 3 years.

Gerry Weiss asked about the size of the current commercial tax base.

Larry Shaffer, recalling the numbers, stated we had about \$2B in total tax base and \$70m in commercial tax base - the goal is to expand the commercial tax base by \$200m in 10 yrs. This project goes half way.

Alisa Brewer noted that Amherst wasn't alone looking to do this kind of project and that we'd be joining Belchertown, Northampton and Greenfield and we might be able to learn from their experience.

Stephanie O'Keefe noted that this project is definitely in line with Select Board's intentions for expanding tax base.

**Town Manager's Report:**

League of Women Voters hosted a forum on the Town's emergency preparedness. The Fire Department, Police Department, and Health Department joined Mr. Shaffer in presenting and answering questions. Watch for the re-runs on ACTV.

The Bangs Center space is being reorganized since Health Services were moved out so Social Services and a fitness room from Cooley Dickinson can be put in. Also way

finding is being reviewed possibly to add electronic signs. Mr. Shaffer had been meeting with the Board of Health and Council on Aging about changes in the Bangs.

Alisa Brewer wanted us to all acknowledge that Mike Kent has accepted a position away from Amherst and we will miss him.

Larry Shaffer appreciated that Captain Kent was a Cops Cop that he will miss him and his special relationship with UMass.

**Litigation status** (packet material on line)

Larry Shaffer presented the report which is broken into three parts; closed litigation, active labor disputes and outside litigation. Many cases were closed last year and the remaining are relatively few for a Town the size of Amherst. There still are many cases that involve land use.

**Personnel Policies**

Gerry Weiss requested the Select Board's comment on our role with exit interviews which are a good personnel management. His main thought is to have the direct supervisor conduct the interview, rather than SB, the direct supervisor would then report to his supervisor who would, in turn, report to the SB. This would assure that two levels of supervision are always involved and could benefit from the interview.

Diana Stein noted that often people don't want to do them (exit interviews) since they might impact their chance at future employment in a small community like ours.

Gerry Weiss felt it important to engage is the new process IF interview is done since it is a voluntary process.

Larry Shaffer noted that we do exit interviews but don't commit the results to writing to encourage people to do them. The information gleaned is very valuable.

Stephanie O'Keeffe felt the Select Board B should be notified of exit interview if it involves the Town Manager.

Gerry Weiss will work to create a policy on exit interviews that fits into current personnel guidelines for presenting to the Select Board as a proposal.

**Minutes** Tabled until next meeting

**Malt Liquor License** Diana Stein moved to accept an application by the University of Massachusetts for a special license for February 10<sup>th</sup> between 5 and 9pm. Aaron Hayden seconded and the motion passed unanimously.

**FY 11 Budget questions:**

Stephanie O'Keefe presented this recurring agenda item as our opportunity, on close review of the budget, to ask specific questions on the budget. She also reminded us that it is good to e-mail questions ahead of time to allow a more fulsome answer:

Gerry Weiss noted the uncomfortable situation in the past when COLA amounts for Non-union employees, and especially this year's 0% increase, could get to Town Meeting before the Personnel Board had voted on it. He stated that Personnel Board will vote on it tomorrow morning.

Stephanie O'Keefe noted the 0% increase has been discussed for many weeks by the Select Board and that it the Personnel Board had plenty of time to consider their support of it.

Larry Shaffer noted that the process of budgeting with the 0% COLA first, before Personnel board had their vote, was a matter of the budget process not disrespect for Personnel Board which did indeed know of the 0% cola for weeks.

Gerry Weiss commented that a complication in the timing of the process is that others have a contracted COLA while non-union is at a disadvantage – and the non-union employees include some who earn the lowest wages. The Town Manager's procedure was "perfect" but still uncomfortable so Mr. Weiss shared his discomfort with the Personnel Board. The Board decided to meet as a board and make a decision without going to rank and file since they were rushing to get done before the February 12<sup>th</sup> deadline.

Larry Shaffer has spoken with the non-union employees explaining his dedication to keeping as many people on staff and how reducing the COLA helps.

Gerry Weiss asked whether a 0% COLA would prevent 2 lay-offs?

Larry Shaffer answered that it was likely.

Gerry Weiss asked about surpluses – we are aware they occur because of good budgeting by staff – whether the Select Board would want the trend to continue or not – maybe we could use it for something.

Diana Stein felt the surplus is a critical budget cushion.

Aaron Hayden noted that the recent modest increases in the Free Cash, that the surplus has allowed, saved the Town significant money because the increasing surplus reduced borrowing costs.

Alisa Brewer noted the need for the Select Board to be aware of the surplus as a pleasant surprise

Larry Shaffer reminded us that the Financial Committee and Facilitation for Community Choices Committee both recommended the reserve grow. Also that the dangerously low levels in past have exacerbated the structural deficit.

Gerry Weiss will discuss these issues with Budget Coordinating Group.

**Budget Coordinating Group update** (handout attached)

Stephanie O'Keeffe described the make-up of the committee with representatives from the Select Board, School Committee, Finance Committee, Library Trustees and Town staff. The BCG is moving forward from last year's process (which just dealt with cuts) and is trying to better identify the core as recommended by the FCCC. The BCG is working to understand budget priorities and recommend an override:

February, 8<sup>th</sup> the final draft of override is to be ready

February 12<sup>th</sup> the final draft will be approved

Right now \$1.9m override seems to be the likely override amount that will restore the most vital cuts. The cut list has also been reduced by the recent change in the State funding picture. BCG will distribute restorations proportionally among budgets to restore absolute worst cuts. For the Town a restoration of \$350k restores all AFD and APD cuts.

Diana Stein stated the getting an override this year allows us in following year to collect the full 2 1/2 % increase even if we don't collect the full override amount this year. She asked what happens if we need more than override and state aid provides this year.

Stephanie O'Keeffe replied that we go to cut list.

Gerry Weiss added that another option is for Town Meeting to appropriate funds from free cash.

Alisa Brewer noted the need to have the cut list organized to match new funds with the cut order (BCG is working on such a document, we'll have final draft of it Monday).

Gerry Weiss noted the Select Board and Library have their cut list but not the School Board.

Stephanie O'Keeffe noted the School Boards are working as fast as they can in parallel with BCG process.

Gerry Weiss noted we have a cut list approved but not restoration list.

**Decision:** Gerry Weiss moved to remove cutting street lights from our restoration list  
Alisa Brewer seconded

Discussion:

Diana Stein is concerned that the town will be “depressing” without the lights

Aaron Hayden noted that adhering to the principle of Dark Skies would turn certain lights off in any event. Also the process for selecting the lights will be a careful one making sure to keep lights the lights on which protect the welfare of the Town.

Stephanie O’Keefe noted that the citizens who vote for the override and still see “their” street light turned off might not understand and be upset.

Vote:3 Yes (Brewer, Hayden, Weiss), 2 No (O’Keefe, Stein)

## **Updates**

### **Warming Shelter**

Gerry Weiss reported that the warming shelter is alive and well and serving 15-18 people each night. There have been 30 individuals using the shelter which gives us an idea of the need for it. There are 2 paid staff from supported by a grant and the Waxman settlement and a huge volunteer and donated food effort coordinated by Kevin Noonan (please check out [knoonan.com](http://knoonan.com) with a chart for volunteer times and food pledges). Contact [knoonan@knoonan.com](mailto:knoonan@knoonan.com). Mr. Weiss gave credit to Mr. Noonan for creating positive atmosphere at the shelter. Mr. Weiss also appreciated the help the effort has received from the APD (they even delivered soup one night). Also he gave thanks to the 1<sup>st</sup> Baptist Church for their support of space and members who have given their material support. The effort was well coordinated all around.

**Energy Conservation Task Force**, Diana Stein reported the ECTF is having their Energy Fair on March 24<sup>th</sup>

**Disabled Access Advisory Committee**, Gerry Weiss reported that the DAAC will be looking at accessibility issues in the Mill River park which is not accessible generally. It is possible their recent work on curb cuts at Rte 63 maybe a secondary issue to general access. The DAAC is also looking at 2 restaurants in town because of their accessibility. Alisa Brewer noted that the Mill River Playground is accessible.

**Public Works Commission**, Aaron Hayden Reported that the PWC completed their sidewalk plowing policy and the Select Board will get to review it very soon.

Stephanie O’Keefe noted that, starting February 2<sup>nd</sup> the School Committee meetings will be live on ACTV from the Town Room with a new beginning time of 6:30 pm..

**Encouraging minutes and agendas from committees.** Publicizing committee agendas and minutes is important for the community to learn about the critical function of the committees and for the committee to foster public engagement. The Select board expects committees to post their minutes regularly.

Each Select Board member is to speak with their liaison committees' chairs to get a report on their posting of minutes and agendas to the Town website..

Alisa Brewer commented that posting is not required by state law but Amherst expects it.

Stephanie O'Keefe offered that Chris Pacunas will train anyone how to put minutes up on the web.

Larry Shaffer will research and report back on the process.

Diana Stein observed that it is sometime a difficult job to compile and publish minutes.

Aaron Hayden offered to compile an e-mail list of committee chairs as a tool to engage them with the process and importance of getting their committee minutes up in a timely manner.

Alisa Brewer would love to have agendas posted, it gives citizens an opportunity to be involved with the committee business before hand, but posting minutes is critical. The actual legal requirements for minutes are much less than the typical minutes kept, the fullness and accuracy are Amherst traditions. Committees that have long times between meetings can post draft minutes

Annual report material will be forwarded from Alisa Brewer to Stephanie O'Keefe for printing.

Stephanie O'Keefe reminded all that February 12<sup>th</sup> is the deadline for annual reports from all committees.

### Calendar

Dates for Town Meeting are set. Diana Stein will check to see if the celebration of the Jewish Holiday Shavout should preclude a meeting on May 19<sup>th</sup>

Alisa Brewer suggested that citizen's petitions be brought in before the deadline so they can be edited if needed.

Adjourn 10:20 without objection

Comments and corrections encouraged  
Respectfully submitted;

*Aaron Hayden*